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GOVERNMENT OF GOA

Department of Law
Legal Affairs Division

Notification

7/6/2022-LA

The Goa Fiscal Responsibility and Budget Management (Amendment) Act, 2022 (Goa Act 10 of 2022), which has been passed by the Legislative Assembly of Goa on 18-07-2022 and assented to by the Governor of Goa on 26-08-2022, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 7th September, 2022.

The Goa Fiscal Responsibility and Budget Management (Amendment) Act, 2022

(Goa Act 10 of 2022) [26-08-2022]

AN

ACT

further to amend the Goa Fiscal Responsibility and Budget Management Act, 2006 (Goa Act 12 of 2006).

Be it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Fiscal Responsibility and Budget Management (Amendment) Act, 2022.

(2) It shall be deemed to have come into force on the 1st day of June, 2022.

2. *Amendment of section 5.*— In section 5 of the Goa Fiscal Responsibility and Budget Management Act, 2006 (Goa Act 12 of 2006), in clause (b), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that for the financial year 2022-23, additional fiscal deficit of 1% over and above 3% of the Gross State Domestic Product (upto 4% of GSDP) shall be permissible;”

Secretariat,
Porvorim, Goa.
Dated: 07-09-2022.

SANDIP JACQUES
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/8/2022-LA

The Goa Registration of Tourist Trade (Amendment) Act, 2022 (Goa Act 11 of 2022), which has been passed by the Legislative Assembly of Goa on 22-07-2022 and assented to by the Governor of Goa on 26-08-2022, is

hereby published for the general information of the public.

D. S. Raut Dessai, Joint Secretary (Law).

Porvorim, 7th September, 2022.

The Goa Registration of Tourist Trade
(Amendment) Act, 2022

(Goa Act 11 of 2022) [26-08-2022]

AN

ACT

further to amend the Goa Registration of Tourist Trade Act, 1982 (Goa Act 10 of 1982).

Be it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Registration of Tourist Trade (Amendment) Act, 2022.

It shall come into force on such date as the Government may by Notification in the Official Gazette, appoint.

2. *Amendment of section 22.*— In section 22 of the Goa Registration of Tourist Trade Act, 1982 (Goa Act 10 of 1982) (hereinafter referred to as the "principal Act"), for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) In case of failure on the part of a dealer, a hotel-keeper or travel agent to pay the fine imposed under sub-section (1) and/or penal interest under sub-section (2), the same shall be recovered as an arrears of land revenue, and the business shall be liable to be closed and the prescribed authority shall proceed to seal the business premises and order disconnection of water and electric connection. The concerned Department shall be bound to comply such order within a period of four days from the date of its receipt. In case the seal affixed by the prescribed authority is tampered with or damaged, the dealer, hotel-keeper or travel agent, as the case may be, shall be liable to pay additional fine of rupees ten lakhs apart from further action under

the provisions of the Indian Penal Code, 1860 (Central Act 45 of 1860)."

3. *Substitution of section 26.*— For section 26 of the principal Act, the following section shall be substituted, namely,—

"26 *Penalty for malpractice.*— If any dealer, hotel-keeper, travel agent or any other person to whom this Act may be made applicable, commits a malpractice or contravenes any other provisions of this Act or the Rules made thereunder in a tourist area for which no specific penalty has been provided, he shall be liable to pay minimum fine of Rs. 2,000/- which may extend to Rs. 5,000/-".

4. *Substitution of section 27.*— For section 27 of the principal Act, the following section shall be substituted, namely,—

"27 *Obstructing lawful authorities.*— If any person wilfully obstructs or offers any resistance to, or otherwise interferes in the discharge of the functions of the prescribed authority or any officer authorized by him exercising any power, or performing any duties conferred or imposed upon it or him by or in pursuance of this Act or the Rules made thereunder, he shall be liable to pay a minimum fine of Rs. 5,000/- which may extend upto Rs. 10,000/-".

5. *Amendment of section 28.*— In section 28 of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely:—

"(1) Any person committing a breach of any of the provisions of this Act or the Rules made thereunder for which he has been once punished with fine by the prescribed authority under any of the provisions of this Chapter shall be liable to pay minimum fine of Rs. 1,000/- which may extend to Rs. 20,000/-".

Secretariat,
Porvorim, Goa.
Dated: 07-09-2022.

SANDIP JACQUES
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/17/2022-LA

The Goa (Regulation of Land Development and Building Construction) (Amendment) Act, 2022 (Goa Act 12 of 2022), which has been passed by the Legislative Assembly of Goa on 22-07-2022 and assented to by the Governor of Goa on 26-08-2022, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 7th September, 2022.

The Goa (Regulation of Land Development and Building Construction) (Amendment) Act, 2022

(Goa Act 12 of 2022) [26-08-2022]

AN

ACT

to amend the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act No. 6 of 2008).

Be it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa (Regulation of Land Development and Building Construction) (Amendment) Act, 2022.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Substitution of section 5.*— For section 5 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act No. 6 of 2008) (hereinafter referred to as the "principal Act"), the following section shall be substituted, namely:—

"5. *Public notice of the regulation.*— (1) The power to make regulations under

section 4 shall be subject to the condition of publication in the Official Gazette and in at least three local newspapers having wide circulation.

(2) The Steering Committee may suggest previous publication of such regulations as decided by it in the Official Gazette and in the newspapers as stated in sub-section (1) for inviting objections and suggestions from the public for a period of thirty days".

3. *Amendment of section 6.*— In section 6 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

(2) The Steering Committee shall appoint a Sub-Committee consisting of the Director of Municipal Administration, Director of Panchayats, the Chairman or member of the Goa Chamber of Commerce and Industry, the Chairman or member of the Confederation of Real Estate Developers Association of India, a representative each of registered local Chapter/Associations of Town Planners, Engineers and Architects to consider proposals referred to it by the Steering Committee or objections and suggestions received from the public under sub-section (2) of section 5 and to submit a report within a period of two months from the date of it's appointment to the Steering Committee or within such further period as the Steering Committee may from time to time extend on request of the Sub-Committee. The Senior Town Planner shall be the Member-Secretary of the such Sub-Committee".

Secretariat,
Porvorim, Goa.
Dated: 07-09-2022.

SANDIP JACQUES
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Notification

7/18/2022-LA

The Goa Succession, Special Notaries and Inventory Proceeding (Amendment) Act, 2022 (Goa Act 13 of 2022), which has been passed by the Legislative Assembly of Goa on 20-07-2022 and assented to by the Governor of Goa on 05-08-2022, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 7th September, 2022.

The Goa Succession, Special Notaries and Inventory Proceeding (Amendment) Act, 2022

(Goa Act 13 of 2022) [05-09-2022]

AN

ACT

further to amend the Goa Succession, Special Notaries and Inventory Proceeding Act, 2012 (Goa Act 23 of 2016).

BE it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Succession, Special Notaries and Inventory Proceeding (Amendment) Act, 2022.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Goa Succession, Special Notaries and Inventory Proceeding Act, 2012 (Goa Act 23 of 2016) (hereinafter referred to as "the principal Act"), in clause (z), after the words "a written account", the expression " , either electronic or manual including online procedure" shall be inserted.

3. *Amendment of section 35.*— In section 35 of the principal Act,-

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Renunciation of an inheritance shall be made before the Court or before the Special Notary having jurisdiction over the place where the succession opens.";

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

"(4A) All such files shall be bound in volumes containing 200 pages each, numbered consecutively and each volume maintained annually shall be numbered serially starting from Volume I of year.....".

4. *Amendment of section 52.*— In section 52 of the principal Act, in sub-section (1),—

(a) after item (i), the following item shall be inserted, namely:—

"(ia) on the surviving spouse;"

(b) for item (iii), the following item shall be substituted, namely:—

"(iii) on the brothers and sisters and their descendents;"

(c) item (iv) shall be omitted.

5. *Insertion of new section 307A.*— After section 307 of the principal Act, the following section shall be inserted, namely:—

"307A. *Jurisdiction to draw instruments and deeds.*— The Special Notary shall have jurisdiction to draw instruments and deeds including wills as below:—

(i) The Special Notary having jurisdiction over the place where the succession opens shall be competent to draw deed of declaration of heirship and deed of renunciation.

(ii) The Special Notary having jurisdiction over the place of permanent residence of the Testator/Testatrix, Donor or the executing party shall draw a will, consent or power of attorney respectively:

Provided that whenever owing to medical disability condition the Testator/Testatrix is admitted to hospital or restricted at a place other than his permanent residence, then on production of valid medical documents, the will can be drawn by the Special Notary having jurisdiction over such place."

6. *Amendment of section 308.*— In section 308 of the principal Act, in sub-section (2), for the expression "District Judge of the respective district court or an additional district judge nominated by him, as the case may be", the words "District Special Notary of the respective District" shall be substituted.

7. *Amendment of section 310.*— In section 310 of the principal Act, for the expression "District Judge of the respective District Court or an Additional District Judge nominated by him, as the case may be", the words "District Special Notary of the respective district" shall be substituted.

8. *Amendment of section 320.*— In section 320 of the principal Act, in sub-section (3), for the expression "within 3 days", the expression "within 30 days after hearing all the parties" shall be substituted.

9. *Amendment of section 324.*— In section 324 of the principal Act,—

(i) in sub-section (i), in clause (iv), for the expression "The power of attorney executed abroad shall be countersigned by the Indian Diplomatic Agent or the Consular services and shall be duly stamped by the competent Collector in Goa;", the expression "The Power of attorney executed abroad except where a certificate called an Apostille has been issued thereto, shall be countersigned by the Indian Diplomatic Agent or the Consular services and shall be duly stamped by the competent Collector in Goa;" shall be substituted;

(ii) in sub-section (2), the words "or certified copy thereof" shall be omitted.

10. *Amendment of section 333.*— In section 333 of the principal Act, in sub-section (7), for the words "District Judge", the words "District Special Notary" shall be substituted.

11. *Amendment of section 337.*— In section 337 of the principal Act, the expression "The testator may keep the closed will with himself or hand it over to a person of his confidence" shall be added at the end.

12. *Omission of sections 338, 339 and 340.*— In the principal Act, sections 338, 339 and 340 shall be omitted.

13. *Amendment of section 346.*— In section 346 of the principal Act,—

(i) in sub-section (4), the words "or a certified copy issued by an institution maintaining such records" shall be omitted;

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

"(4A) In the event when a party to succession deed produces documents of his identity and the names on the documents produced are different, the parties may produce a certificate issued by the Mamlatdar for certifying the names appearing in different certificates are that of one and the same person."

14. *Insertion of new section 346A.*— After section 346 of the principal Act, the following section shall be inserted, namely:—

"346A. *Printed Deed of Declaration of Heirship.*— (1) The Declarants and interested parties as specified in section 346 may opt to present to the Special Notary, a computer generated printout in black ink of the unsigned Deed of Declaration of Heirship, written in the language of the Court, complying with all the legal formalities as specified under section 346 and other provisions under this Act on a standard ledger paper (Legal Size) leaving a margin of 5 cm. on left side, 3 cms on top and the bottom and 2 cms. on the right side of the paper. The print shall be in Times New Roman Script with double spacing and continuous

without break between words and numbers shall be written in words, accompanied by all the documents required for registration of said deed.

(2) Upon submission of printed Deed of Declaration of Heirship, all the parties shall put their name, sign and thumb impression by appearing in the office of the Special Notary, and thereafter the Special Notary shall sign the said deed.

(3) All the printed Deeds of Declaration of Heirship registered before the Special Notary alongwith all the supporting documents, until they are preserved in a form of a bound book, as provided in sub-section (4), shall be maintained in a provisional file. In the same

file, all the Deeds of Declaration of Heirship so presented shall be kept as per the serial order of its presentation and their pages numbered serially.

(4) At the end of every 200 sheets, the District Special Notary of the concerned district shall initial all the pages of the Deed of Declaration of Heirship contained in the file and ensure that the sheets are bound in a book.".

Secretariat,
Porvorim, Goa.
Dated: 07-09-2022.

SANDIP JACQUES
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Government of Goa,
Law Department
(Legal Affairs).

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